

**MEMO ENDORSED**

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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March 1, 2022

**BY ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: United States v. Hugo Mendoza  
21 Cr. 273 (VEC)**

Dear Judge Caproni:

I write, as counsel to Hugo Mendoza in the above-captioned matter, to respectfully request that the Court (1) temporarily modify Mr. Mendoza's pretrial conditions of release to allow him to travel between New York and the District of New Jersey to celebrate his daughter's birthday on Sunday, March 6, 2022; and, (2) adjourn Mr. Mendoza's sentencing, currently scheduled for March 28, 2022. Pretrial services consents and the Government defers to pretrial services concerning the temporary bail modification. The Government does not object to the sentencing adjournment.

Turning first to the request for a temporary bail modification, on January 28, 2021, Mr. Mendoza was presented in Magistrate Court. The following bail conditions were set and subsequently met:

\$50,000 personal recognizance bond to be co-signed by two financially responsible persons; pre-trial services supervision as directed; surrender of travel documents with no new applications and travel restricted to the Southern and Eastern Districts of New York; drug testing and treatment as directed by pretrial services; refrain from possession of controlled substances unless otherwise prescribed by a licensed physician; home detention with location monitoring; may only work at a job with a specified location and approved by pretrial services, consistent with home detention.

On May 4, 2021, the Court granted Mr. Mendoza's first bail modification request to permit pretrial services discretion to set an exercise schedule for Mr. Mendoza to enable him to go outside for routine exercise for at least 1.5 hours a day, 3 times a week, as recommended by his doctor.

On June 24, 2021, the Court granted Mr. Mendoza's application to modify his bail conditions following an electrical fire in his home that destroyed his family's entire house. With the consent of pretrial services and the Government, the Court agreed to replace Mr. Mendoza's condition of home detention with a curfew to be set by pretrial services. On December 3, 2021, the Court granted Mr. Mendoza permission to travel between his home in New York and the District of New Jersey for the holidays, returning home each day by the curfew set by pretrial services.

Mr. Mendoza now seeks a temporary bail modification to enable him to travel from his home in New York to celebrate his daughter's birthday with her in New Jersey on March 6, 2022, returning home by the curfew set by pretrial services. Pretrial services does not object to this request; the Government defers to pretrial services.

Separately, Mr. Mendoza also requests an adjournment of his sentencing date, currently set for March 28, 2022. Defense counsel is set to begin a four-week racketeering trial before Judge Liman on March 8, 2022. An adjournment is necessary to ensure Mr. Mendoza receives the effective assistance of counsel to which he is entitled at sentencing. Accordingly, the defense respectfully requests a 60-day adjournment of sentencing. The Government does not object to this request.

Thank you for your consideration of these requests.

Respectfully submitted,

/s/  
Marne Lenox  
Assistant Federal Defender  
(212) 417-8721

cc: Ni Qian, Assistant U.S. Attorney  
Ashley Cosme, Pretrial Services Officer

Mr. Mendoza's request to travel to New Jersey and return by curfew on March 6, 2022 is GRANTED.

Mr. Mendoza's sentencing, currently scheduled for Monday, May 28, 2022 at 10:30 A.M., is adjourned to **Tuesday, May 24, 2022 at 11:00 A.M.** Sentencing submissions are due no later than **Tuesday, May 10, 2022.**

SO ORDERED.



Date: March 1, 2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE